

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04-CR-00271-RJC-DCK

USA

v.

ILA LITTLE HOWARD

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ORDER

**THIS MATTER** comes before the Court upon the defendant's motion for reconsideration, (Doc. No. 523), of the denial, (Doc. No. 522: Order), of her motion for appointment of counsel, (Doc. No. 520).

In the instant motion, the defendant seeks the assistance of counsel to argue for re-sentencing in light of Alleyne v. United States, 133 S. Ct. 2151 (2013). (Doc. No. 523: Motion at 1). Title 28, United States Code, Section 2255 allows a prisoner to move to vacate a sentence obtained in violation of the Constitution, with certain limitations. However, there is no constitutional right to counsel in proceedings under § 2255. See Crowe v. United States, 175 F.2d 799 (4th Cir. 1949). Furthermore, it appears from the record that the defendant has adequately raised issues on her own in the past. (See Doc. No. 409: Motion to Amend Judgment; Doc. No. 422: Motion to Reduce Sentence).

**IT IS, THEREFORE, ORDERED** that the defendant's motion for appointment of counsel is **DENIED**. The Clerk's Office is directed to send a form-motion to vacate to the defendant with service of this Order.

Signed: January 11, 2016

  
Robert J. Conrad, Jr.  
United States District Judge

